

# Exhibit A



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## Firm Resume



### **Why we win.**

When we saw the opportunity to build a dynamic, complex litigation firm, **we did it**. This same bold spirit informs everything we do at Burns Charest.

Our **battle-tested attorneys** take on corporate giants and large national firms in the courtroom. With our contingent and alternative fee approach, we are **calculated risk-takers**. We leverage our smarts, our integrity, and our resources intelligently and efficiently to focus on outcome-determinative action and results.

**Burns Charest knows how to try cases.** And other firms know that too. We work hard. We work smart. We achieve results. **We win.**



## Burns Charest Philosophy.

From the start of a case, Burns Charest develops a plan to win the trial. Then we manage the case throughout its life to ensure we are working towards that core goal: **winning the trial**.

We encourage contingent-fee arrangements or alternative fees where, in effect, **we bet on ourselves and our clients**. We believe that clients benefit from having lawyers whose focus is aligned on winning the case as efficiently and as successfully as possible. Having our focus on winning the trial helps avoid unnecessary skirmishes and delay.

Burns Charest's broad experience gives it both strength and agility. **We are trial lawyers**. It does not matter what type of trial. It does not matter whether the dispute is before a jury, a bench, or an arbitration panel. **We can do it**. And other firms know both that we know what we are doing and that we are willing to go the distance. That gives us an edge when negotiating settlements because being ready, willing, and able to actually try cases is a rare commodity.

Our nation's legal system was designed to protect individuals and businesses from the wrongdoing of others and to assure a level playing field. As lawyers, we have an incredibly important role to play in making that system work for our clients. And we will not shy away from a **fight to protect our clients**.

**We love what we do.** It takes hard work. It takes smarts. We have them both.

## Burns Charest Wins.

Burns Charest was founded in 2015. Since that time, **Burns Charest has achieved results in major cases**. The most significant results are set out below.



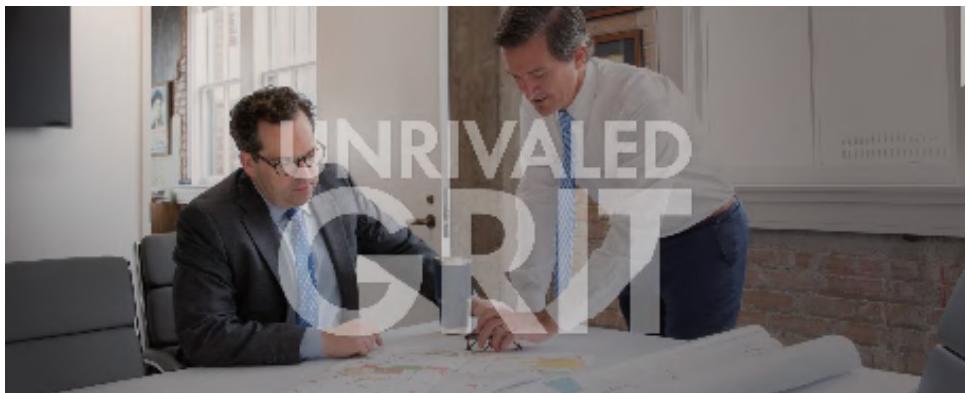
- Lead Counsel for Self-Funded Subclass: *In re: Blue Cross Blue Shield Antitrust Litigation*, Case No. 2:13-cv-20000 (N.D. Ala.). Helped negotiate **\$2.67 billion class settlement fund** on behalf of subscribers to address anti-competitive practices by Blue Cross Blue Shield insurers.
- Lead counsel: *Stockton v. Sun Holdings, Inc.*, No. CC-19-02768-D (County Court at Law No. 4, Dallas County, Texas). Prosecuted fraud claim by Dallas-area man against national-level, Dallas-based franchisee in seven-day jury trial. Won jury verdict of \$15,618,873.47 in fraud damages and, after bifurcated trial, another verdict totaling \$15,100,000.00 in punitive damages. All combined, the **jury verdicts reached \$30,718,873.47**.
- Co-lead counsel: *In re: EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, MDL No: 2785 (D. Kan.). Finalized separate settlements of **\$345 million and \$264 million** with Pfizer and Mylan Defendants, respectively, on behalf of tens of thousands of American consumers and businesses in a multidistrict class action designed to recoup overpayments on the life-saving EpiPen device. Listed in "**Top 50 Cases with Settlements Reaching Final Approval from 2009-2021**" by 2021 Antitrust Annual Report published by Huntington National Bank and the Center for Litigation and Courts at UC Hastings Law.

- Lead counsel: ***GT Resources, LLC v. Black Hills Corporation***, No. 2020CV30751 (District Court for Denver County, Colorado). Secured a \$41 million jury verdict for client for claims of tortious interference with a prospective business advantage and breach of the duty of good faith and fair dealing against Black Hills Corporation and two subsidiaries in connection with a dispute over a 2.3-million-acre oil and gas concession in Costa Rica. The trial lasted six days. And the jury deliberated one day before returning its **\$41 million verdict** for the Burns Charest client. The National Law Journal ranked the verdict as a **Top 100 Verdict in the nation for 2022**.
- Lead trial counsel: ***In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs***, Sub-Master Docket No. 17-cv-9001L (Fed. Cl.). Secured rulings on both liability (2108) and just compensation (2022) in bifurcated trial over bellwether properties in the “**largest Fifth Amendment takings cases in history**” according to the federal government, with aggregate estimated claims for roughly \$1.3 billion. Serving as court-appointed co-lead counsel for Hurricane Harvey upstream flood victims.
- Lead Counsel and Lead Trial Counsel: ***In re: HONX, Inc.***, No. 22-90035 (S.D. Tex. Bankr.). Represented roughly 900 individual claimants exposed to asbestos while working in a refinery on St. Croix, U.S.V.I. Negotiated a **total settlement pool of \$105 million** for clients after defendant filed bankruptcy.
- Co-lead counsel: ***Scola v. Facebook Inc. and Pro Unlimited Inc.***, No. 18-CIV05135 (Superior Court in the State of California). Negotiated \$52 million class action settlement for a class of content moderators who worked for Facebook vendors. Settlement included Facebook improving safety of U.S.-based content moderators by improving review tools and providing counseling. Listed among the “**Top Commercial Litigation Moments of 2020**” by The Texas Lawbook.
- Co-lead counsel: ***In re: Plaid Inc. Privacy Litigation***, No. 4:20-cv-3056 (N.D. Ca.). Finalized **\$58 million class action settlement** on behalf of consumers against fintech apps for collecting sensitive transactional private banking data without consumers’ knowledge or consent.
- Plaintiff Steering Committee: ***In re: TikTok, Inc. Consumer Privacy Litigation***, Case No. 1:20-cv-04699 (N.D. Ill.). Received final approval for **\$92 million class action** settlement on behalf of TikTok app users against TikTok, Inc. and ByteDance, Inc. for their use of biometric information obtained from app users without prior consent.
- Co-lead counsel: ***Kosmos Energy Sao Tome and Principe v. ERHC Energy, Inc.***, No. 201771987 (157th District Court, Harris County, Texas), and ***Kosmos Energy Sao Tome and Principe v. ERHC Energy (BVI), LTD***, No. 23177/TO (ICC International Court of Arbitration). Led international arbitration and a Texas State Court action in a fight over rights to a deep-water offshore drilling blocks off the coast of Africa. Obtained injunction, first, in Texas State Court and, later, from the ICC arbitration panel in London to preserve the client’s deep-water offshore asset. Achieved **total victory for client** after multi-day arbitration proceeding in London.
- Co-lead counsel: ***In re: Asbestos, Catalyst, and Silica Toxic Dust Exposure Litigation***, Master Docket No. SX-15-CV-096 (U.S.V.I. Sup. Ct.). Represented several hundred individual workers exposed to asbestos while working in a refinery on St. Croix, U.S.V.I. and negotiated a **total settlement pool of \$84 million**.
- Co-lead counsel: ***Shirley, et al. v. Limetree Bay Ventures, LLC, et al.***, No. 1:21-cv-00259-WAL-EAH (D.V.I.). Represent pollution victims on the western half of St. Croix whose homes were sprayed with oil during failed attempts to re-start a refinery on St. Croix. Obtained mandatory injunctive relief requiring defendant, Limetree Bay Terminals, to **provide clean drinking water to thousands of St. Croix residents**.
- Co-lead counsel: ***Bhatia, et al. v. 3M Company***, No. 16-1304 (DWF/DTS) (D. Minn.). Secured a **\$32.5 million settlement for class** of thousands of American dentists who purchased faulty material from one of the nation’s largest dental manufacturers for use in dental crowns, which failed at unprecedented rates.

# Burns Charest Team.

Burns Charest is a **dynamic firm with an impressive pedigree.**

In 2015, we came together to build a new, aggressive platform to pursue our clients' interests. And we have achieved that ambition. By strategically enhancing experienced positions and hiring smart, ambitious associates, we have built a **team of battle-tested lawyers.** We focus on the development of our lawyers—through both on the job experience and internal firm training—to hone their skills, bring out their personal strengths, and instill solid trial habits.



Burns Charest lawyers have been honored by nearly all relevant attorney-ratings platforms, including being named by the Texas Lawyer as Texas "**Attorney of the Year**" in 2020. They have received the award for "**Outstanding Achievement in Private Law Practice**" from the American Antitrust Institute. They have been elected to the American Law Institute. They regularly speak at bar events and CLE courses. They serve on Pattern Jury Instruction committees. Beyond that, they have been ranked by Chambers and Partners, admitted to the Litigation Counsel of America's Trial Law Institute and Order of Veritas, and named as both a "**Winning Litigator**" by National Law Journal and a "**Litigation Star**" by Benchmark Litigation. They have been listed as "**Leading Plaintiff Financial Lawyer**," as "**Leading Plaintiff Consumer Lawyer**," as "**Leading Environmental Lawyer**," and as "**Leading Litigator**" by Lawdragon. They are consistently identified as among "**International Who's Who of Competition Lawyers**," "**Best Lawyers**," "**Super Lawyers**," and "**Best Lawyers in America**."

**We have a strong team.** Our lawyers are some of the most experienced and talented of their generation. And the strength of our younger lawyers only enhances our team. We are happy to match our credentials against others.



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